IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.420 of 2005

The Nibbana Co-operative Housing Society Ltd. ...Petitioner

vs.

M/s.Malcolm Construction Pvt. Ltd. ...Respondent

Mr.K.M.Jawale, for the Petitioner.

Mr.S.C.Gupte i/b. V.L.Panjwani, for Respondent.

CORAM: D.K.DESHMUKH,J.

DATED: 18th April, 2006.

P.C.:-

By cosent of parties, the petition is disposed of in the following terms:-

1. The Award impugned in the petition is set aside.

2. The Hon'ble Mr.Justice H.Suresh (Retired) is appointed as Arbitrator.

3. The disputes between the parties are referred to the learned Arbitrator to be decided in accordance with the provisions of

the Arbitration and Conciliation Act,1996.

4. The parties shall be at liberty to file additional pleadings and may lead additional evidence, oral and documentary, before the learned Arbitrator.

No order as to costs.